

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ANTHONY GRIFFIN,  
*Plaintiff,*

vs.

TEXAS DEP'T OF CRIMINAL JUSTICE, *et al.*,  
*Defendants.*

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CIVIL ACTION H-06-3670

**ORDER**

Before the court is plaintiff Anthony Griffin's application for a temporary restraining order and request for injunctive relief (Dkt. 3). A court may grant a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b). However, a temporary restraining order may be granted without written or oral notice to the adverse party or that party's attorney only if:

(1) it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition, and (2) the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not be required.

FED. R. CIV. P. 65(b).

The plaintiff has not certified that he has attempted to give the defendants notice of his application for injunctive relief or explained why such notice should not be required. The plaintiff's application for a temporary restraining order is therefore DENIED.

Signed on November 20, 2006, at Houston, Texas.

  
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Gray H. Miller  
United States District Judge